

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**CASE NO.: 2:18-cr-205
JUDGE GEORGE C. SMITH
MAGISTRATE JUDGE KING**

OSCAR VALENTIN DIAZ-RAMIREZ,

Defendant.

ORDER

On November 28, 2018, the Magistrate Judge issued a *Report and Recommendation* pursuant to 28 U.S.C. § 636(b)(1), recommending that the Court accept Defendant's guilty plea to an Information charging him with conspiracy to possess with intent to distribute one kilogram or more of a substance containing a detectable amount of heroin, in violation of 21 U.S.C. § 846 (Count 1), and possession of a firearm by an illegal alien, in violation of 18 U.S.C. §§ 922(g)(5) (Count 2). (Doc. 26). Defendant, represented by counsel, waived his right to appear on the matter before a District Judge. The Magistrate Judge conducted the colloquy required by Rule 11 of the Federal Rules of Criminal Procedure. Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact.

Defendant was specifically informed of his right to contest the *Report and Recommendation* by filing any objections within 14 days of the issuance of the *Report and Recommendation* pursuant to 28 U.S.C. § 636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure. Defendant did not file any objections.

Accordingly, the Court **ADOPTS** the *Report and Recommendation* and **ACCEPTS** Defendant's pleas of guilty to Counts 1 and 2 of the Information. Defendant is hereby adjudged guilty of the aforementioned charges. Additionally, the Information contains forfeiture counts by which the United States seeks to forfeit Defendant's interest in certain currency, firearms, and associated ammunition. Defendant agreed to the forfeiture counts.

IT IS SO ORDERED.

/s/ *George C. Smith*

GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT